

Agricultural Land Preservation Program

PROGRAM DESCRIPTION AND OBJECTIVES

The County's Agricultural Land Preservation Capital Program is administered by the Montgomery County Department of Economic Development. The program includes one ongoing capital project, Agricultural Land Preservation Easements, whose objective is to protect and preserve agricultural land from development with the goal of retaining a significant farming sector throughout Montgomery County.

The County's goal is to protect 70,000 acres by 2012. Through June 30, 2007 the County has permanently preserved 68,752 acres for agricultural use, which is more than any other county in the nation. Currently, preservation of agricultural land is accomplished under five separate agricultural land preservation programs: the Montgomery County Agricultural Easement Program (AEP); the Maryland Agricultural Land Preservation Foundation (MALPF); Montgomery County's local Transferable Development Rights (TDR); the Maryland Environmental Trust (MET); and the Montgomery County Rural Legacy Program (RLP). The acres preserved under each program are displayed in the chart below, and each program is described in the narrative that follows.

	MALPF	AEP	MET	RLP	TDR*	TOTAL
Acres to be Protected	4,523	7,919	2,086	4,948	50,524	70,000
Acres Protected Thru FY07	3,734	6,995	2,086	4,448	51,489	68,752
Acres Needed to Reach	789	924	0	500	-965	1,248

* Transfer of Development Rights Easements exceeded expectations during FY07 based upon increase demand for TDRs associated with development of Clarksburg's TDR receiving area.

Through AEP, the County purchases easements on farmland using Agricultural Transfer Tax collections to meet acreage acquisition targets. Agricultural easements acquired through the AEP may range in value from \$1,700 to \$6,000 per acre, depending on location, land quality, and amount of road frontage. The County has protected 6,995 acres through the AEP.

Through MALPF, the State purchases development rights easements directly from landowners to protect agricultural land from development. Since 1980, 3,734 acres have been protected.

Montgomery County's local Transferable Development Rights (TDR) program, established by the functional Master Plan for the Preservation of Agriculture and Rural Open Space, accounts for the major portion of the County's preserved land – 51,489 acres. The program, administered by the Maryland-National Capital Park and Planning Commission (M-NCPPC), allows Upcounty landowners to transfer development rights from the 93,000-acre Agricultural Reserve,

in the western and northern portions of the County, at the rate of one TDR per five acres, to developers with projects in areas that can accept the higher development density, designated as "TDR receiving areas."

The MET program encourages landowners to donate an easement on their property to protect scenic open areas, including farm and forest land, wildlife habitats, waterfront, unique or rare areas, and historic sites. This program is associated with the Maryland Department of Natural Resources and requires no monetary participation by the County. Montgomery County has protected 2,086 acres through the MET program.

The RLP was enacted in 1997 as part of the Governor's Smart Growth and Neighborhood Conservation initiative to protect natural resources. The program is designed to protect areas rich in multiple agricultural, forestry, natural and cultural resources in order to protect resource-based economic development, protect green areas, and maintain rural life. Montgomery County acts as a conduit for these funds, and no monetary participation is required of the County. The County has protected 4,448 acres through the RLP program.

PROGRAM CONTACTS

Contact Jeremy Criss of the Department of Economic Development at 301.590.2823 or Alison Dollar of the Office of Management and Budget at 240.777.2781 for more information regarding this capital budget.

CAPITAL PROGRAM REVIEW

The Executive's recommended FY09-14 program expenditure total of \$8 million represents a \$16.2 million or 67 percent decrease from the amended six-year total. This decrease is primarily attributed to a projected decline in Agricultural Transfer Tax revenues due to a downturn in the local real estate market. Total six year program funding includes Agricultural Transfer Tax contributions, and investment income.

Montgomery County Agricultural Preservation

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